

SECTION 2.05 TEMPORARY USES

2.05.01 Generally. Certain temporary uses are allowed in zoning districts as set forth in the table at 2.05.02 below, and are subject to the permitting requirements and supplemental regulations beginning with 2.05.03 below.

2.05.02 Temporary Use Table. The following table identifies certain temporary uses permitted within the various zoning districts. The table also provides a cross reference to applicable supplemental regulations for each such temporary use.

TABLE 2.05A – TEMPORARY USE TABLE		
Temporary Uses	Zoning District	Supplemental Regulations
Carnivals, Fairs, Circuses, Midways	AG, C-2, C-3, C-4, P-1, P-2	2.05.06
Fund Raising	Property used for community services and all commercially zoned property.	2.05.07
Non-Residential Building	All Districts	2.05.08
Outdoor Music festivals	AG, C-2, C-3, C-4, P-1, P-2	2.05.09
Outdoor Promotional Sales	C-2, C-3, C-4	2.05.10
Recreational Vehicle As Temporary Shelter	AG, AE, and all Residentially zoned property.	2.05.11
Sale of Produce, Locally-Grown	AG, AE, C-1, C-2, C-3	2.05.12
Sale of Produce, Not Locally Grown, and Seasonal Goods	AG, C-2, C-3, C-4	2.05.13
Secondary Living Unit	AG, AE, and all Residentially zoned property	2.05.14
Special Event Sales	C-2, C-3, C-4, Public Property	2.05.15
Mobile/Itinerant Vendors		
Tent Revival	AG, C-2, C-3	2.05.16
Yard Sale	Residential Properties in All Districts	2.05.17

2.05.03 Temporary Use Permits.

- a. Unless expressly exempt by this section, a Temporary Use Permit must be obtained from the Director of Planning & Development Services or his designee, prior to establishment of a temporary use.
- b. The Director may issue a Temporary Use Permit for a temporary use within the zoning districts as indicated in the table at 2.05.02 above, provided the following conditions and requirements are met:

1. The application shall be accompanied by (a) a site plan showing location and dimensions of the use, the access to the use, the parking that will serve the use, the number, type, location and dimensions of any proposed signage, and other necessary facilities, (b) an affidavit of written permission by the property owner or property manager of record when the applicant is not the owner, (c) copy of the recorded deed, and (d) the applicable fee, if any.
 2. Prior to granting the Temporary Use Permit, the Director may require that other appropriate County or State agencies review the application to ensure the protection of the public health, safety, and general welfare. In addition, particular attention shall be given to traffic flow and control, automobile and pedestrian safety, and the effect that such use and activity will have on surrounding uses, particularly where the adjoining use is residential. The temporary sale shall not create a traffic hazard, or other hazard to the public. The County Planner, his or her designee, may place appropriate conditions upon the permit to ensure the protection of the public health, safety, and general welfare. If there is clear and convincing evidence that no conditions can be attached to the permit that will ensure the public safety, the Director may deny the Temporary Use Permit.
 3. The applicant shall provide all required information on an application and provide the information as required by this part in order to be considered for a Temporary Use Permit.
 4. A temporary use shall not continue beyond the time limits established for the use in the sections below.
 5. Any party granted a permit under this subsection shall also comply with all other applicable federal, state, or local regulatory or statutory requirements.
 6. The applicant must provide proof of occupational license or demonstrate that such a license is not required.
 7. The applicant must provide proof Health Department and handicapped requirements for bathrooms are met.
 8. The applicant must provide a Florida sales tax identification number or exemption certificate.
 9. When in the opinion of the County Planner it is deemed necessary, the applicant may be required to post a bond or otherwise provide adequate assurance that the site of the temporary activity will be returned to its original or an improved state when the selling activity has ceased.
- c. The conditions of the permit shall be stated in the permit documents, and shall include, at minimum, the type of use allowed under the permit, the hours of operation, the duration of the use and a site plan on 8.5" by 11" paper depicting the location of the use, access, parking, signage, and other necessary facilities.
- d. The permit documents shall be kept at the site of the temporary use and immediately made available upon request by a Putnam County Code Enforcement Officer or Officer of the Putnam County Sheriff's Office. Failure to produce the permit documents upon request shall be deemed a violation subject to enforcement action under Section 2.05.05 below.

- e. Any decision of the County Planner or other administrative official with reference to the provisions of this subsection may be appealed to the Zoning Board of Adjustment in the manner prescribed in Article 12 of the Land Development Code.

2.05.04 Signs. Signs for any temporary uses authorized by this section shall be limited to two (2) signs located within the property for which the permit is issued, and shall not exceed twenty-four (24) square feet in surface area for each sign. All temporary use signs shall otherwise meet all applicable standards of the County's sign regulations. Signs shall not be placed in any road right-of-way and shall not be placed so as to create a traffic hazard of any kind. Signs shall be removed when the permit expires. Failure to adhere to the requirements of this Section, including the timely removal of the signs, shall be deemed a violation subject to enforcement action under Section 2.05.05, below.

2.05.05 Violations and Enforcement.

- a. A Code Enforcement Officer or an Officer of the Putnam County Sheriff's Office, finding probable cause that a person has committed an act in violation of this temporary use section, may issue that person a citation as provided in Article 12 of this Code.
- b. A property owner that allows a temporary use to operate on his or her property shall be deemed to have violated this ordinance when the temporary user operates in violation of this ordinance and may be issued a written notice of violation from the Codes Enforcement Officer.
- c. A violation by the property owner shall be subject to the code enforcement procedures provided in Article 11 and 12 of this Code.

2.05.06 Carnivals, Circuses, Midways:

- a. Carnivals, circuses, and midways may be allowed without need of a temporary use permit in P-1 and P-2 districts. Nothing herein shall be read to obviate the authority of the Board of County Commissioners or the Fair Board to establish such policies, rules or contracts as they deem appropriate to further restrict the temporary use of lands in the P-1 and P-2 districts
- b. Carnivals, circuses, and midways may be allowed by temporary use permit in AG, C-2, C-3 and C-4 districts subject to the following: the duration of the permit shall not exceed fourteen days.

2.05.07 Fund Raising. If the temporary use is for the sole purpose of raising funds to support a community service organization or public charity supported by such an organization, the use may take place on the property normally used for community services without need of a permit. Such a temporary use for fund raising may also take place on any commercially zoned property without need of a permit, subject to the following conditions:

- a. The temporary use must take place in an area that will not impede the normal flow of vehicular and customer traffic for the existing stationary use so as to create a traffic hazard, or other hazard to the public.
- b. The organization has the permission of the landowner or the owner/operator of the existing stationary use.
- c. The duration of a sale shall not exceed 72 hours. Except that (1) a fund raiser that is associated with holiday seasonal sales (i.e. Christmas trees at Christmas, fireworks at the 4th of July or pumpkins at Halloween) shall be allowed for duration of forty-five (45) days ending the day following the applicable

holiday; or (2) a fund raiser that takes place inside the building envelope of the stationary commercial use shall not be subject to a specified duration.

Community service organizations, as used herein, shall be read to mean not-for-profit clubs or organizations that are registered and approved as 501(c)(3) corporations by the Internal Revenue Service and organizations affiliated with a local school.

2.05.08 Non-Residential Building. Temporary placement of a manufactured home or other manufactured building, or trailer, for non-residential use may be allowed by temporary use permit as provided below:

- a. It is allowed by the zoning district under Table 2C above.
- b. As a temporary sales office or construction office incidental to construction or development of the premises upon which the temporary structure is located. The temporary use permit for such a temporary structure shall provide that the structure may remain on the site so long as appropriate permits for the associated construction have been issued and the construction is being diligently pursued. If, however, the temporary structure will remain on the site for more than three years, a Special Use Permit shall be required for the structure. The temporary structure shall be removed within one month of the completion of construction on the site.
- c. For a temporary office for a public purposes by any agency of local, municipal, State or federal government.

2.05.09 Outdoor Music Festivals. Outdoor music festivals may be allowed subject to the following:

- a. Outdoor music festivals may be allowed without need of a temporary use permit in P-1 and P-2 districts. Nothing herein shall be read to obviate the authority of the Board of County Commissioners or the Fair Board to establish such policies, rules or contracts as they deem appropriate to further restrict the temporary use of lands in the P-1 and P-2 districts.
- b. Outdoor music festivals require a temporary use permit to locate in AG, C-2, C-3 and C-4 districts, subject to the following: the duration of the permit shall not exceed 72 hours (i.e. 3 days).
- c. In all cases, a waiver of the noise ordinance for the duration of the festival must be obtained from the Board of County Commissioners.

2.05.10 Outdoor Promotional Sales. Outdoor promotional sales shall be read to include all types of temporary sales of goods or services that are not considered sales of produce, special event sales, yard sales, fund raisers, mobile food and beverage vendors or on-site temporary promotional sales by a lawful, permanent business. In addition to the general criteria and conditions of this section, a temporary use permit for outdoor promotional sales shall be subject to the following:

- a. The duration of the permit shall be limited to seventy-two hours.
- b. No more than four (4) temporary use permits per location shall be issued in any given calendar year.
- c. With regard to temporary uses in C-2, the proposed temporary use must otherwise be permitted by right or special exception as a permanent use in the C-2 zoning category.

- d. On-site temporary promotional sales by a lawful, permanent business are exempt from permitting requirements; however, such on-site sales shall not exceed a duration of 72 hours; shall not take place in the public right-of-way; shall not impede the normal flow of vehicular and customer traffic for the existing stationary use so as to create a traffic hazard, or other hazard to the public; and shall comply with the County's sign regulations.

2.05.11 Recreational Vehicle as Temporary Shelter – This section describes when a recreational vehicle may be allowed as a temporary shelter on property other than a lawfully established RV Park. Article 3 of this Code regulates the use of RVs in an RV Park.

- a. Permit Required. In the AG, AE and residential zoning districts (RE, R-1, R-1A, R-1HA, R-2, R-2HA and RMH), the temporary use of RVs for shelter may be allowed by temporary use permit as follows:
1. Pursuant to a temporary use permit during land clearing of the site where the recreational vehicle is to be located. The maximum duration of the temporary use permit for this purpose shall be sixty days. The recreational vehicle shall be self-contained and shall not be connected to an outside source of electrical power, potable water, or sewage disposal. All waste water and solid shall be disposed of properly at a licensed facility.
 2. Pursuant to temporary use permit for use during construction of a home subject to the following:
 - (a) All building and construction related permits for the principal dwelling have been secured, and construction will commence within ninety (90) days.
 - (b) Payment of the permit fee for the electrical and plumbing inspections, in addition to the application fee is required.
 - (c) All units must be hooked up to sanitary facilities (septic tank).
 - (d) The temporary use permit shall have a duration limited to 6 months from time approval of the set up of the RV is received, subject to an extension of time of up to 6 months if the County Planner finds that construction of the principle residence is diligently proceeding. Maximum time allowed for set-up is 12 months. Use of the RV as shelter shall discontinue within 30 days of final inspection of the principal dwelling.
 3. For use during demonstrated extreme hardship situations such as a medical emergency, the destruction of a principle home by fire, flood, or other calamity, subject to the following:
 - (a) The permit shall have a maximum duration of six months.
 - (b) The recreational vehicle shall be self-contained or shall be lawfully connected to an outside source of electrical power, potable water, and sewage disposal.
- b. Permit Not Required – Residential Zoning Districts. RVs may be used for temporary shelter in the residential zoning districts without need of a temporary use permit under the following conditions:

1. The use is for temporary visits on a non-fee basis by the property owner or by friends and family members of the owner or occupant of the property, with permission of the property owner.
 2. The RV is self-contained.
 3. The extent of the stay in the RV does not exceed 14 consecutive days or 120 non-consecutive days in a given calendar year.
 4. The RV is not parked inside any of the required setbacks for the zoning district.
 5. There is no more than one RV on the premises at any one time.
- c. Permits Not Required – Agriculture Zoning Districts. RVs may be used for temporary shelter in the AG and AE zoning districts without need of a temporary use permit under the following conditions:
1. For lots or parcels that are 1-acre or less in size or that are part of a vested subdivision plan for lots less than 5-acres in size, use of an RV as a temporary shelter shall be as provided in paragraph b above.
 2. For all other lots or parcels in the AG or AE districts, RVs may be use for temporary shelter subject to the following conditions:
 - a. The use is for temporary visits on a non-fee basis from the property owner or from friends and family members with the express permission of the property owner.
 - b. The RVs are self-contained or they are hooked up to appropriate electrical service, a potable well and sewer or septic facilities that have been installed pursuant to permits issued by the Health Department and the Planning & Development Services Department, where required.
 - c. The extent of the stay in the RV does not exceed ninety (90) consecutive days or 180 non-consecutive days in a given calendar year.
 - d. The RV is not parked inside any of the required setbacks for the zoning district.
 - e. There is no more than one RV per acre of land on the premises at any one time, with a maximum of ten (10) RVs regardless of the acreage.
- d. Permit Not Required – Religious Assembly. It is hereby recognized that the temporary use of RVs for visiting pastors, speakers or choral groups, as well as for temporary evangelical gatherings where allowed, is common practice for Religious Assembly. As a result, RVs may be used for temporary shelter without need of a temporary use permit when used in connection with a lawfully established Religious Assembly, subject to the following conditions:
1. The use is for temporary visits on a non-fee basis for matters directly related to the Religious Assembly Use Category.
 2. The Religious Assembly is allowed in the applicable zoning district by right or by an approved special use permit.

3. The RVs are self-contained or they are hooked up to appropriate electrical, well and sewer/septic facilities that have been installed pursuant to permits issued by the Health Department and the Planning & Development Services Department, where required.
 4. The extent of the stay in the RV does not exceed 14 consecutive days or 120 non-consecutive days in a given calendar year.
 4. The RV is not parked inside any of the required setbacks for the zoning district.
 5. The lot or parcel is at least one (1) acre in size and there is no more than one RV per acre of land on the premises at any one time, with a maximum of ten (10) RVs regardless of the acreage.
 6. Nothing contained in this section shall limit property used for Religious Assembly from using RVs for temporary shelter as provided in paragraphs a. through c. above.
- e. Under no circumstances will an RV be permitted to serve as a permanent shelter or housing solution.

2.05.12 Sale of Produce—Locally Grown. Temporary sale of locally grown produce is allowed without a temporary use permit when the produce sold is grown on farms within Putnam County. Such produce may only be sold during the growing season in Putnam County for such produce. The sale shall not create a traffic hazard, or other hazard to the public.

2.05.13 Sale of Produce, Not Locally Grown, and Seasonal Goods. Temporary sale of produce, not locally grown and seasonal goods may be allowed by temporary use permit subject to the following:

- a. The duration of the temporary use permit shall be limited to forty-five (45) days.
- b. No more than two (2) temporary use permits per applicant per location shall be issued in any given twelve (12) month period.

2.05.14 Secondary Living Unit. A secondary living unit may be allowed by temporary use permit in cases of medical hardship subject to the following:

- a. The applicant shall provide proof that the secondary living unit is necessary to house one or more immediate family members of the property owner who are receiving care by the property owner. An immediate family member includes only the following: Grandfather, grandmother, father, father-in-law, mother, mother-in-law, son, son-in-law, daughter, daughter-in-law, brother, brother-in-law, sister and sister-in-law.
- b. The applicant shall provide a written certification from a licensed physician that a medical hardship requires constant or recurring physical care and assistance.
- c. A secondary living unit must be constructed or erected in manner that is consistent with the zoning district.
- d. A site plan shall be submitted showing the location of the secondary living unit and the manner in which all setbacks and building separation requirements are met.

- e. The property on which a secondary living unit is placed shall not be subdivided so as to create two lots unless all requirements in this Code for the subdivision of land, including minimum lot size, are met.
- f. Once the medical hardship ends, one of the living units must be removed within 90 days.
- g. A temporary use permit for a secondary living unit shall be limited in duration to one year. The permit may be renewed based on a showing by the applicant that all requirements of this section have been and will be complied with, and the provision by the applicant of an updated certification from a licensed physician as required in b above.

2.05.15 Special Events Sales. A special event sale is a temporary sale held in conjunction with a sporting event, parade, festival or other such event. Special events sales may be allowed by temporary use permit. The duration of the permit shall not exceed the period approved for the associated special event.

2.05.17 Tent Revival A tent revival may be allowed by temporary use permit subject to the following:

- a. The duration of the permit shall not exceed seventy-two hours.
- b. No permit is required when the revival is held on a site where a place of Religious Assembly has been constructed and previously approved for outdoor revival meetings.

2.05.18 Yard Sale. A yard sale is a sale of household merchandise by the property owner and includes the term garage sale. A yard sale may be allowed without a temporary use permit subject to the following:

- a. The sale must take place on a property used for residential purposes.
- b. No more than two sales within any twelve-month period may take place on a given residential property.
- c. The duration of a sale shall not exceed 72 hours.